

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED  
12/6/22 2:37 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN RE: : Case 21-10194/GLT  
Michael J. Colello, Jr. :  
Debtor, : Chapter 13  
: :  
: Docket No: 61  
\_\_\_\_\_  
Michael J. Colello, Jr. :  
Movant, :  
vs. :  
: :  
Ronda J. Winnecur, Esquire, :  
Chapter 13 Trustee, :  
Respondents. :  
:

**STIPULATION and ORDER**

AND NOW COMES, Michael J. Colello, Jr. (the "Debtor") and Ronda Winnecur ("Chapter 13 Trustee") by and through undersigned counsel, and hereby stipulate to the following terms.

WHEREAS, the Debtor filed the above-mentioned Chapter 13 case on April 9, 2021; and

WHEREAS, a 2019 GMC Acadia (VIN 1GKKNKLA7KZ294672) was part of the Debtor's Bankruptcy Estate and scheduled;

WHEREAS, the vehicle was recently in an accident and "totaled" pursuant to the Debtor's insurance provider;

WHEREAS, the insurance provider has disbursed a check to the Trustee in the amount of \$25,092.69 to satisfy the account with Santander Consumer USA, Inc.

WHEREAS, Santander filed a claim (CI #5) in the amount of \$30,099.44 of which, according to Trustee's records, it was paid \$5,230.99 in principal prior to the accident, leaving a principal balance due, as of the date the record was closed off due to the accident of \$24,868.45

WHEREAS, Given what appears to be the nominal difference between the amount disbursed to the Trustee for payment of the Santander claim and the principal amount reflected in the Trustee's records as still due Santander, and given the possible issue of interest on the claim pending disbursement of the payoff amount, Debtor has requested and Trustee will not dispute that the entire balance of \$25,092.69 be paid over to Santander in the normal distribution cycle; and

NOW THEREFORE, the parties agree as follows:

1. The Trustee is authorized to disburse the \$25,092.69 of insurance proceeds to Santander Consumer USA, Inc, in her ordinary distribution cycle.
2. The Trustee shall close off the payment record on the secured claim of Santander Consumer USA, Inc. and there shall be no further disbursements on account of such claim through the plan. Debtor remains responsible to deal with title transfer to the extent necessary.
3. Debtor shall report, in the form of an amended Schedule B (and C if relevant) any refund from Santander or any other insurance proceeds as a result of the accident.
4. The Debtor shall file an amended plan within seven (7) days removing the totaled vehicle and addressing all claims appropriately.
5. This Stipulation represents the entire agreement between the Movant and the Chapter 13 Trustee.
6. The Debtor shall serve a copy of this stipulation on counsel for Santander.

So ordered this 6th day of December, 2022.

BY THE COURT:



Gregory J. Taddonio, hct  
U.S. Chief Bankruptcy Judge

Consented to:

/s/ Owen D. Katz, Esquire  
Office of the Chapter 13 Trustee  
US Steel Tower, Suite 3250  
600 Grant Street  
Pittsburgh PA 15219  
(412) 471-5566 x 3124  
[okatz@chapter13trusteeewdpa.com](mailto:okatz@chapter13trusteeewdpa.com)  
Attorney for Respondent

/s/ Daniel P. Foster, Esquire  
1210 Park Avenue  
Meadville, PA 16335  
(814) 724-1165  
PA I.D. 92376  
[dan@mrdebtbuster.com](mailto:dan@mrdebtbuster.com)  
Attorney for Movant

In re:  
Michael J. Colello, Jr.  
Debtor

Case No. 21-10194-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1

User: auto

Page 1 of 1

Date Rcvd: Dec 06, 2022

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol**      **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 08, 2022:**

Recip ID	Recipient Name and Address
db	+ Michael J. Colello, Jr., 3020 Maplewood Drive, Sharpsville, PA 16150-9252

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 08, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 6, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. bnicholas@kmllawgroup.com
Daniel P. Foster	on behalf of Debtor Michael J. Colello Jr. dan@mrdebtbuster.com, katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmeccf@chapter13trusteewdpa.com

TOTAL: 4